

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 870

March 7, 2017

SUMMARY OF BILL: Authorizes the Department of Health (DOH) acting through the Chief Medical Officer (CMO) of the DOH or the designee of the CMO to issue an emergency order suspending or restricting the license of a nurse who tests positive for any drug on any government or private sector pre-employment or employer-ordered confirmed drug test, for a covered employer, when the nurse does not have a lawful prescription and legitimate medical reason for using the drug. Allows the nurse be given 48 hours from the time of notification to produce a lawful prescription for the drug before an emergency order is issued.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Based on information provided by the DOH, currently a panel of the Board of Nursing is convened on an emergency basis to hear a summary suspension application.
- The proposed legislation would authorize the CMO to issue an emergency order suspending or restricting the license which would enable the review panel to hear the summary suspension application in a timelier manner.
- Any impact on the number of licensees in the state will be not significant; therefore, any fiscal impact to the Board of Nursing is estimated to be not significant.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Board of Nursing had an annual surplus of \$1,363,944 in FY14-15, an annual surplus of \$1,408,207 in FY15-16, and a cumulative reserve balance of \$8,690,087 on June 30, 2016.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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